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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Atty. Docket  
QIONG LI ET AL US020053  
Serial No. To Be Determined Group Art Unit: Unassigned  
Filed: FEBRUARY 22, 2002 Examiner: Unassigned

A METHOD FOR STREAMING FINE GRANULAR SCALABILITY CODED VIDEO OVER  
AN IP NETWORK

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTN: BOX DAC

Sir:

On February 22, 2002, the Applicant mailed the enclosed patent application (US020053) to the United States Patent and Trademark Office by U.S. Post Service Express Mail. On March 13, 2002, the Applicant received a return post card for this application, which a copy has been enclosed. The return postcard included a date of February 22, 2002, but not a serial number. The return post did indicate that the USPTO received a specification including claims, six sheet of drawings, mailing certificate, assignment and a signed declaration. However, the Applicant has still not received any other correspondence relating to this application from the USPTO since March 13, 2002. Based on this, the Applicant presumes that a filing date was not given to this application.

In view of the above, the Applicant respectfully petitions that this application (US020053) be given a filing date of February 22, 2002. In order to support this petition, please find enclosed a copy of the express mailing certificate and the Applicant's Express Mail Log sheet for February 22, 2002. These documents show that this application was mailed on February 22, 2002. Further, the enclosed return post card shows that the application mailed included twenty-one pages of a specification including claims and six sheets of drawings. Based on this, this application should have been given a filing date under 37 CFR 1.53.

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The Applicant also respectfully requests that the petition fee be refunded. As can be seen from the enclosed return postcard, the application (US020053) sent to the USPTO did include a specification with at least one claim and drawings, as required under 37 USC 1.53. Therefore, there was no defect in this application mailed to the USPTO on February 22, 2002.

Applicants hereby authorize that the Petition fee under 1.17h may be charged to Deposit Account No. 14-1270. A duplicate of this petition is attached.

Respectfully submitted,

By Russell Gross  
Russell Gross, Reg. 40,007  
Attorney  
(914) 333-9631

Encs: Copy of Full Application of February 22, 2002;  
Copy of Receipt Post Card Received back from USPTO;  
Copy of USPS Express Mail Cert. with Internal Log Sheet.

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER For PATENTS  
Washington, D.C. 20231  
BOX DAC

On April 30, 2003  
(Date)  
By G. Limprecht  
(Signature)



Box #4

DOCKET NO. US 020053 DIV. GROS SER. NO. \_\_\_\_\_  
A method for streaming fine granular  
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PLEASE DATE STAMP AND RETURN TO  
ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

Auth. Pursuant, Recordation  
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Jc511 U.S. PTO



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| spec., claims & abs.     |  | Notice of Appeal....                                   | <input type="checkbox"/>            |
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